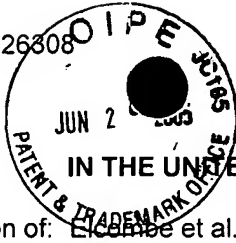


Customer No. 26308



26308

PATENT TRADEMARK OFFICE

UC10 Rec'd PCT/PTO 20 JUN 2005 PATENT

Docket No. 9404.18803

PCT
#13

In re application of: Elcombe et al.

Serial No.: 10/526,025

Filed: 28 February 2005

For: Perfluorinated Fatty Acids for the Treatment of Obesity, Diabetes, Hyperlipidaemia, Cancer, and Inflammation

Group Art Unit: Unknown

Examiner: Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN
THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION
(37 CFR 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in S 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to S 1.71 and at least one claim pursuant to S 1.75; and (2) any drawing required by S 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by S 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. S 371(c) within the periods set forth in S 1.494 or S 1.495. 35 U.S.C. S 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION
DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed WITHIN THREE MONTHS OF THE FILING DATE OF THE APPLICATION OR DATE OF ENTRY INTO THE NATIONAL STAGE OF AN INTERNATIONAL APPLICATION OR BEFORE THE MAILING DATE OF A FIRST OFFICE ACTION ON THE MERITS, WHICHEVER EVENT OCCURS LAST. 37 CFR 1.97(b).

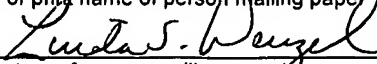
NOTE: "NO CERTIFICATION OR FEE IS DUE WHEN THE FILING IS MADE WITHIN THE ABOVE TIME PERIOD. IT IS ADVISABLE TO ENSURE THAT NO OFFICE ACTION HAS BEEN MAILED IF THE DISCLOSURE STATEMENT IS DELAYED UNTIL AFTER THREE MONTHS FROM FILING.

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATE OF MAILING (37 CFR 1.8(a)) or (37 CFR 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below as First Class Mail in an envelope addressed as follows: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Date: 17 June 2005

Linda S. Wenzel
Type or print name of person mailing paper

(Signature of person mailing paper)

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A PETITION FOR SUSPENSION OF ACTION TO ALLOW APPLICANT TIME TO SUBMIT AN INFORMATION DISCLOSURE STATEMENT WILL BE DENIED AS FAILING TO PRESENT GOOD AND SUFFICIENT REASONS, SINCE 37 CFR 1.97 PROVIDES ADEQUATE RECOURSE FOR THE TIMELY SUBMISSION OF PRIOR ART FOR CONSIDERATION BY THE EXAMINER." NOTICE OF JULY 6, 1992 (1141 O.G. 63).

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima face* prior art reference against the claims of the present application.

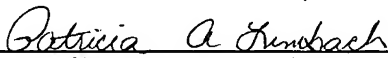
Should any fees be necessary in connection with this submission, please charge same to Account No. 06-2360.

Date 17 June 2005

Reg. No. 50,295

Telephone No.: (262) 783-1300

Customer No. 26308



Signature of Attorney of Record
Patricia A. Limbach

Type or Print Name of Attorney of Record
RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226-0618

LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i> Customer No. 26308	ATTY DOCKET NO. 9404.18803	SERIAL NO. 10/526,025
	APPLICANT Elcombe et al.	
	FILING DATE 28 February 2005	GROUP Unknown



26308

PATENT TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	5,621,144	04/1997	Cooper			
	4,624,851	11/1986	Revici			
	2,567,011	09/1951	Diesslin et al.			
	6,013,795	01/2000	Manzara et al.			
	6,015,838	01/2000	Stern et al.			
	6,028,109	02/2000	Willson			
	2004/0077720	04/2004	Depierre et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
	WO 01/07066	02/2001	PCT			
	WO 00/06143	02/2000	PCT			
	WO 92/11248	07/1992	PCT			
	WO 04/019927	11/2004	PCT			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	Kees et al. Perfluorocarbon-Based Antidiabetic Agents (1992) J Med Chem 35, 944-953
	Trivedi et al. Perfluoro-N-[4-1H-tetrazol-5-ylmethyl]phenyl]-alkanamides. A New Class of Oral Antidiabetic Agents. (1989) J Med Chem 32, 11-13
	Okochi et al. Perfluorooctanoic acid, a peroxisome-proliferating hypolipidemic agent, dissociates apolipoprotein B48 from lipoprotein particles and decreases secretion of very low density lipoproteins by cultured rat hepatocytes (1999) Biochimica Biophysica Acta 1437, 393-401

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this of with next communication to applicant.

LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i> Customer No. 26308	ATTY DOCKET NO. 9404.18803	SERIAL NO. 10/526,025
	APPLICANT Elcombe et al.	
	FILING DATE 28 February 2005	GROUP Unknown

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	Gilliland & Mandel. Mortality Among Employees of a Perfluorooctanoic Acid Production Plant (1993) J Occup Med 35(9), 950-954
	Hla & Neilson. Human cyclooxygenase-2 cDNA (1992) PNAS 89(16), 7384-7388
	Hla. Molecular Characterization of the 5.2 KB Isoform of the Human Cyclooxygenase-1 Transcript (1996) Prostaglandins 51, 81-85
	Isseman & Green. Activation of a member of the steroid hormone receptor superfamily by peroxisome proliferators (1990) Nature 347, 645-650
	Jones et al. Molecular Cloning of Human Prostaglandin Endoperoxide Synthase Type II and Demonstration of Expression in Response to Cytokines (1993) J Biol Chem 268(12), 9049-9054
	Kersten et al. Roles of PPARs in health and disease (2000) Nature 405, 421-424
	Kliwer et al. Differential expression and activation of a family of murine peroxisome proliferator-activated receptors (1994) PNAS, 91, 7355-7359
	Kosaka et al. Characterization of the human gene (PTGS2) encoding prostaglandin-endoperoxide synthase 2 (1994) Eur J Biochem 221(3), 889-897
	Medicine abstracts
	Mukherjee et al. Identification, Characterization, and Tissue Distribution of Human Peroxisome Proliferator-activated Receptor (PPAR) Isoforms PPAR γ 2 versus PPAR γ 1 and Activation with Retinoid X Receptor Agonists and Antagonists (1997) J Biol Chem 272, 8071-8076
	Mukherjee et al. Human and Rat Peroxisome Proliferator Activated Receptors (PPARs) Demonstrate Similar Tissue Distribution but Different Responsiveness to PPAR Activators (1994) J Steroid Biochem Mol Biol 51, 157-166
	Palmer et al. α -Parinaric acid is a ligand for the human peroxisome proliferator activated receptor γ : development of a novel spectrophotometric assay for the discovery of PPAR γ ligands (1998) FEBS Letts. 431, 476-480
	Pickard et al. Molecular Cloning of Two New Human Paralogs of 85-kDa Cytosolic Phospholipase A2 (1999) J Biol Chem 274(13), 8823-8831
	Sharp et al. Molecular Cloning and Expression of Human Ca ²⁺ -sensitive Cytosolic Phospholipase A2 (1991) J Biol Chem 266(23), 14850-14853
	Underwood et al. A Novel Calcium-independent Phospholipase A2, cPLA2- γ , That is Prenylated and Contains Homology to cPLA2 (1998) J Biol Chem 273(34), 21926-21932
	Valentin et al. Cloning and Recombinant Expression of Human Group IIF-Secreted Phospholipase A2 (2000) Biochem Biophys Res Commun 279(1), 223-228
	Meridia® data sheet
	Finer & Walker (1999). Drug treatment of obesity, 1-17
	Abstract of JP 60001175

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this of with next communication to applicant.	

LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i> Customer No. 26308	ATTY DOCKET NO. 9404.18803	SERIAL NO. 10/526,025
	APPLICANT Elcombe et al.	
	FILING DATE 28 February 2005	GROUP Unknown

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	Schedin et al. Reduced Cholesterol Accumulation and Improved Deficient Peroxisomal Functions in a Murine Model of Niemann-Pick Type C Disease upon Treatment with Peroxisomal Proliferators (1998) Biochem Pharm 56, 1195-1199
	Borges et al. Effect of the peroxisome proliferator perfluorodecanoic acid on growth and lipid metabolism in Sprague Dawley rats fed three dietary levels of selenium (1990) Arch Toxicology 1990, 26-30
	Cimini et al. Presence and inducibility of peroxisomes in a human glioblastoma cell line (2000) Biochimica Biophysica Acta 1474, 397-409
	Appleby et al. Structure of the human cyclo-oxygenase-2 gene (1994) Biochem J 302, 723-727
	Auboeuf et al. Tissue Distribution of Human PPARs (1997) Diabetes 46(8), 1319-1327
	Braissant et al. Differential Expression of Peroxisome Proliferator-Activated Receptors (PPARs): Tissue Distribution of PPAR- α , - β , and - γ in the Adult Rat (1996) Endocrinol 137(1), 354-366
	Brash et al. Discovery of a second 15. <i>S</i> -lipoxygenase in humans (1997) PNAS 94(12), 6148-6152
	Causevic et al. Substitution of a conserved amino acid residue alters the ligand binding properties of peroxisome proliferator activated receptors (1999) FEBS Letts. 463, 205-210
	Gelman et al. An update on the mechanisms of action of the peroxisome proliferator-activated receptors (PPARs) and their roles in inflammation and cancer (1999) Cell Mol Life Sci 55, 932-943
	GenBank Accession No. AF306566
	GenBank Accession No. M68874
	GenBank Accession No. NM003706
	GenBank Accession No. NM000963
	GenBank Accession No. NM001141
	GenBank Accession No. NM005090
	GenBank Accession No. NM021628
	GenBank Accession No. U63846
	GenBank Accession No. XM005818
	GenBank Accession No. XM008328
	Taylor et al. (2002) Inflammation 26, Peroxisome Proliferator-Activated Receptor Agonists Inhibit Inflammatory Edema and Hyperalgesia 26, 121-127
	Yang et al. (2002) Biochem Pharm 63, Involvement of the peroxisome proliferator-activated receptor alpha in the immunomodulation caused by peroxisome proliferators in mice, 1893-1900

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this of with next communication to applicant.	